



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,955	08/10/2005	Roman Cetnar	19339-099997	3772

7590

09/27/2006

Robin W Asher  
Clark Hill  
Suite 3500  
500 Woodward Avenue  
Detroit, MI 48226-3435

EXAMINER
----------

LUGO, CARLOS

ART UNIT	PAPER NUMBER
----------	--------------

3676

DATE MAILED: 09/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/517,955	CETNAR ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Carlos Lugo	3676	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 August 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☒ Claim(s) 5-7 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 August 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The applicant fails to provide a copy of the foreign patent documents listed on the PTO-1449 filed on December 14, 2004. At the instant, the examiner provides a copy of these documents for the application record and considers them as prior art related. Therefore, the applicant is not required to provide an additional copy of these documents.

### ***Specification***

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Art Unit: 3676

3. The abstract of the disclosure is objected to because of the use of the word "means".

Correction is required. See MPEP § 608.01(b).

4. In Page 4 Line 25, the specification recites "according to claim 1". Applicant is reminded that the specification must support the claims and not vice versa. CFR §

1.74 (a)-(c) recites:

- The specification must include a written description of the invention or discovery and of the manner and process of making and using the same, and is required to be in such full, clear, concise, and exact terms as to enable any person skilled in the art or science to which the invention or discovery appertains, or with it is most nearly connected, to make and use the same.
- The specification must set forth the precise invention for which a patent is solicited, in such manner as to distinguish it from other inventions and from what is old. It must describe completely a specific embodiment of the process, machine, manufacture, composition of matter or improvement invented, and must explain the mode of operation or principle whenever applicable. The best mode contemplated by the inventor of carrying out his invention must be set.
- In the case of an improvement, the specification must particularly point out the part or parts of the process, machine, manufacture, or composition of matter to which the improvement relates, and the description should be confined to the specific improvement and to such parts as necessarily cooperate with it or as may be necessary to a complete understanding or description of it.

Therefore, references to the claims in the specification should be removed.

Art Unit: 3676

5. The specification is objected to because of the following informalities:

- Page 8 Line 12, change “teeth 24,26” to -teeth 25,26-.

Appropriate correction is required.

### ***Claim Objections***

6. **Claim 1 is objected** to because of the following informalities:

- Claim 1 Line 22, change “in the area of interaction” to -in an area of interaction- in order to give proper antecedent of basis for this limitation.

Appropriate correction is required.

7. **Claims 5-7 are objected** to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims have not been further treated on the merits.

### ***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. **Claims 1-4 are rejected** under 35 U.S.C. 103(a) as being unpatentable over US Pat No 3,848,911 to Watermann et al (Watermann '911) in view of US Pat No 3,997,202 to Tack et al (Tack '202).

Regarding claim 1, Watermann '911 discloses a lock comprising a closing mechanism (8 and 32) designed for coupling with a lock striker (12) along a direction

of relative coupling; and a supporting body (1) having a housing seat (11) for an engagement portion of the lock striker and having an entry area for the engagement portion of the lock striker and is delimited laterally, by a pair of faced ramps (9 and 10) diverging with respect to one another towards the entry area, and at an end opposite to the entry area by a bottom wall (40) orthogonal to the direction of relative coupling.

The lock further comprises an elastically compliant arrest means (17) coupled to the bottom wall to delimit the housing seat in the direction of relative coupling in order to define damped arrest of the engagement portion of the lock striker.

However, Watermann '911 fails to disclose that the arrest means is coated on their surface, in the area of interaction with the engagement portion of the lock striker by a rigid protective shield. Watermann discloses that the arrest means (17) is distinct from the ramps (9 and 10).

Tack '202 teaches that it is well known in the art to provide an arrest means (31) with a protective shield (30).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the arrest means described by Watermann '911 with a cover, as taught by Tack '202, in order to protect the arrest means and in order to make the arrest means described by Watermann '911 capable of distribute the impact load of the striker across the arrest means.

Art Unit: 3676

As to claim 2, Watermann '911, as modified by Tack '202, teaches that the shield is constituted by a plate having opposite lateral edges (30a) folded on the arrest means.

As to claim 3, Watermann '911 discloses that the arrest means comprise a flexible element (17) fixed to said bottom wall.

As to claim 4, Watermann '911 discloses that the flexible element (17) is made of an elastomeric material.

### ***Conclusion***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Lugo whose telephone number is 571-272-7058. The examiner can normally be reached on 10-7pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on 571-272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO

Application/Control Number: 10/517,955

Page 7

Art Unit: 3676

Customer Service Representative or access to the automated information system, call  
800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'CL' followed by a horizontal line.

Carlos Lugo  
Patent Examiner  
Art Unit 3676

September 20, 2006.